



THE COMMONWEALTH OF MASSACHUSETTS

WATER RESOURCES COMMISSION

Meeting Minutes for July 11, 2002

Members in Attendance:

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| Mark P. Smith | EOEA |
| Marilyn Contreas | Designee, DHCD |
| Mike Gildesgame | Designee, DEM |
| Cynthia Giles | Designee, DEP |
| Gerard Kennedy | Designee, DFA |
| Richard Butler | Public Member |
| Gary Clayton | Public Member |
| David Rich | Public Member |
| Frank Veale | Public Member |

Other in Attendance:

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| Michele Drury | DEM/OWR |
| Lise Marx | MWRA |
| Gretchen Nabreski | DEM |
| Bram Elias | MWRA intern |
| Jarrett Selig | SEA |
| Kenneth Carlson | Westin & Sampson |
| Dave Daltorio | Westin & Sampson |
| Vicki Gartland | DEM/OWR |
| Linda Marler | DEM/OWR |
| Steve Garabedian | USGS |
| Margaret Kearns | DFW/Riverways |
| Marian Berkowitz | MDPH |
| John Reinhardt | DEP |
| Mingyuan Pan | DEP |

Item 1: Executive Director's Report:

- The next WRC meeting in August will be held in Mashpee, and there will be a tour of the Mass Military Reservation and the new water supply area.
- Several citizens are challenging our Determination of Insignificance for the Essex sewer project in court, for being arbitrary and capricious.
- We are working with the governor's office to replace Jeff Kappell; everyone else's appointment should be updated at this time.

- Lakes and Ponds Initiative put out a poster and brochure to help educate the public and control the spread of invasive plant species in the Commonwealth.
- The Lakes and Ponds GEIR is in the works; it will outline seven or eight different management practices. This will hopefully clear up a number of questions about MEPA filings and herbicide application. This will determine how certain types of projects will get relief from MEPA if they are using the standards outlined in the GEIR. There will be a presentation in front of the Commission this fall.
- Christy Foote-Smith is working on an Aquatic Habitat Restoration Initiative for the Commonwealth; she will do a presentation for the Commission this fall. Our current regulations and programs are not set up to allow restoration programs to move forward as efficiently as possible. This policy will make it clear that the Commonwealth favors environmental restoration projects, and the permitting process will recognize this.
- A draft of the updated guide to the Interbasin Transfer Act will be presented in the fall.
- An intern from Tufts is working on a guide to ecological landscaping on how to design lawns and landscapes for habitat and or water conservation.
- Mark gave presentations to the Mass Municipal Association on our water assets program and New England Water Works on our drought work. Both were well received. Vermont borrowed liberally from our drought plans.

Hydrologic Conditions Report:

- In June we got about 4.3 inches of rain which was above normal. We were about 120% of normal for the month of June. Every region had a 100% or greater precipitation for the month of June.
- For the water year we are at about 82% of the normal range statewide. The water deficit has dropped to six inches.
- Drought task force dropped the drought level to drought advisory; they will meet again on July 25th.
- Overall ground water levels are normal, some areas are below normal, and the some areas in the western part of the state are above normal.
- Surface water flows are mostly in the normal ranges. Some areas had above normal stream flow for the month of June.
- There were two good rain events on June 5th and 15th.
- So far this month there has been a dearth rain, one storm brought 0.6 inch to one inch of rain.
- Reservoir levels are still around 90%; Springfield is at 73%, they normally drop 14% over the summer months.
- Fire danger levels in June were in the moderate range, but they have gone back up to high due to hot and dry conditions.
- The weather forecast for the month of July is for normal precipitation. The Palmer drought index is predicting normal weather conditions right through October.

Item #2: Vote on the Staff Recommendation on the Weymouth Landing area sewer project:

The project involves constructing an additional connection to the MWRA Braintree-Weymouth interceptor sewer system. This will increase the rate of interbasin transfer by approximately 3 mgd. The town is under an Administrative Consent Order (ACO) with DEP for both water and

sewer; the sewer ACO required that Weymouth develop a sanitary sewer system assessment report, a sewer extension and connection plan, and an infiltration and inflow removal plan. These were completed in 2000. In 1999, the Commission did approve a request for a interbasin transfer from MWRA for the Braintree Weymouth interceptor. That project is designed to accept all flows from Weymouth. Staff recommends that the Commission approve this project, as it does meet all the applicable criteria of the Interbasin Transfer Act.

A public meeting was held June 25, and there was some public comment from the town which provided oral and written testimony. Testimony was attached to the staff recommendation that was mailed out, but it is not in the electronic version.

The Landing Area is made up of three subbasins or portions of three subbasins: Smelt Brook, the Mill River subbasin, and a portion of the Weymouth Fore River tributary, which was not analyzed because it is a tidal area.

There was concern about how the additional connection will affect the Mill River stream flows, which already are impacted by existing withdrawals for public water supplies. The area is fully developed so there is really no potential for new sewerage. The town did do population projections for this area. If the population projection could be accommodated, only 0.01% to 7% of the flow from the Mill River, in a moderate drought, would be sewerage. The town does monitor Mill River stream flows at Whitman's Pond. The greatest concern is the cumulative impact of withdrawal for public water and sewerage. Weymouth monitors flows and is required to shut off a well when the flows reach a certain level.

Smelt Brook was analyzed; the overflow is occurring at the mouth of it. Removing water from the river by sewerage it will have little impact because of the downstream location. Currently Smelt Brook receives significant sewer overflows during storm events. The sewerage will reduce the amount of overflow, and the water quality will improve. During storm events, streamflow would be reduced by only 0.1%.

Drury explained the changes from the June Staff Recommendation in the July Staff Recommendation. For Condition 1, the town needed to address the comments made on their draft Local Water Resources Management Plan. This has not changed.

Condition 2 of the June Staff Recommendation listed requirements that would have to be met by any community or entity outside Weymouth that wished to hook into the Weymouth system. Weymouth does not have any enforcement power other than that the entity would have to meet the sewer connection requirements and the extension and sewer bank program. The other requirements would have to be met by the entities that tap into the extension and be enforced by DEP, MWRA, and WRC. Before any other community hooks up they need to have a Comprehensive Wastewater Management Plan, they would need to meet Weymouth's sewer bank, the sewer extension connection program, and they would need to be in the process of getting MWRA approval as well as an Inter-basin Transfer. This is still in the Staff Recommendation, under Other Issues, but it has been removed as a condition on Weymouth.

The new Condition 2 requires that Weymouth notify WRC if they change their sewer connection extension to a banking program. The sewer bank program now requires that any entity that connects to the sewer system would need to find 7 gallons of water to save for every one gallon of wastewater they put into the system. This can be done through water conservation or I/I removal.

Condition 3 in the June staff recommendation required that Weymouth continue with their I/I removal. Weymouth has provided a draft Operations and Management (O&M) plan that DEP is reviewing for approval. There is a program in there stating that Weymouth would clean and inspect 75,000 linear feet of sewer lines per year, and inspect 440 manholes per year. This will allow them to find sources of I/I and assure that the town system will remain free of excessive I/I. Weymouth must submit a final copy of their DEP approved O&M Plan to WRC, and notify us of changes that would make the program substantially different. Also, before they finalize the plan, Weymouth must revise it to clearly state that the town will repair in a timely manner any cost or value effective sources of I/I found through the cleaning and inspection program and make the inspection records available to Water Resources Commission staff. When the Braintree-Weymouth IBT was under review, MWRA stated that it would like to see an ongoing I/I plan similar to what is required for leak detection. The proposed Weymouth program seems to address this.

Clayton asked about the statement on page 20, item 3, that “the town proposes a plan to clean 75,000 feet a year”. Drury replied that it is stated as a proposal because it has not been approved by DEP. The Water Resources Commission wants to see the final plan, which is under review. Weymouth must let us know if the final plan is something substantially different.. The town currently inspects between 40,000 and 70,000 feet. The approved DEP plan will bring it up to 75,000. Weymouth has its own crew to make this possible. If their O&M plan is changed, the WRC needs to know why. Weymouth will notify the Commission if the plan changes, and then the Commission will decide if they need to review it. WRC can make recommendations to DEP on the revised Operations and Management plan. As a result of this notification WRC may undertake further review of the proposed changes.

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| <p>V O T E</p> | <p>Butler moved with a second by Veale to approve the staff recommendation, dated July 11, 2002, to approve the Weymouth Landing area sewer project with the following amendment to the language on page 19: “As a result of this submission, the WRC may undertake further review of the proposed changes.”</p> <p>The section also was amended to remove the reference to August 8th in conditions 2 and 3.</p> <p>The motion, as amended, was approved unanimously.</p> |
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Item #3 Vote: Stoughton’s Local Water Resources Plan:

In June a presentation of the Stoughton Local Water Resources Management Plan was given. The staff had some questions about the plan, which were addressed in the final draft. The first question was how much water has the town of Stoughton saved since 1987? Stoughton saved 20

gallons per capita per day since they implemented their Water Conservation Plan in 1987. The Commission also requested an organizational chart, and that was supplied. The Water Resources Commission's regulations require that the town either be in the process of developing a plan or have an approved plan. Under MWRA regulations they must have an approved plan. Therefore we are requesting a vote at this meeting to allow Stoughton to complete its application to the MWRA.

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| V O T E | <p>Clayton moved with a second by Veale to approve Stoughton's Local Water Resources Management Plan, as per the July 11, 2002 memo to the Commission.</p> <p>The motion was approved by 8 in favor and none opposed (Richard Butler was not in the room at the time of the vote).</p> |
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Item #4 Vote: DEP Industrial Wastewater holding tank regulations:

The regulations were presented by John Reinhardt of DEP. The DEP Commissioner has to approve the regulations after WRC approves them. The proposed regulations are to protect ground water and to codify existing policy that is based on statutory authority, but not is being codified into regulation. This will simplify plant approval, which involves a lot of DEP's time by setting up self-certification, which requires putting explicit standards into the regulations to make the whole process more transparent. The regulations will help locate older tanks, which present a potential environmental risks. The regulations cover containers, stationary tanks, mobile tanks, in ground tanks, above ground tanks, new tanks, and existing tanks.

Materials moved in barges falls under the scope. Tanks and containers with or without DEP titles in sewerred areas, inside drinking water zones, and outside drinking water zones, will be covered by the regulations. The Regulations will also cover converted tanks. Containers that do not have certification will have simple standards that they have to meet. The regulations require secondary containment in new in-ground tanks. In-ground tanks present a much larger risk because of the possible contamination of ground water. The fee will go from \$300 to a one time \$100 fee. Since the public hearing, very little has changed; major changes include a more explicit listing of exceptions for the partial prohibitions of the use of holding tanks in sewerred areas. You don't want holding tanks in sewerred areas. The exceptions explicitly say that sewage treatment plant shouldn't be discharging. Shipments to TSDF Treatment, storage, and disposal facility are a licensed facility for hazardous waste (hard to understand).

DEP hope to finalize these regs in September and implement this fall. The commission asked questions and made comments about the regulations.

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| V O T E | <p>Clayton moved with a second by Giles to approve DEP's industrial wastewater holding tank regulations, 314CMR18.00, as presented.</p> <p>The motion was approved unanimously.</p> |
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Item #5: Presentation on the lawn and landscape water conservation policy and proposed approaches:

After the discussion in May and the concerns expressed about the policy and what it might mean for regulatory review, Smith put together a different approach to see if the commission is comfortable with it. The new policy is structured to follow the original Water Conservation Standards. A short paragraph on the background of policy framework, which was something the other document had, explains how we developed this part of the standards, and then explains the actual standards and recommendations. The intent is to be clear about what a standard is, realizing that it could become a requirement versus a recommendation. The recommendations are shown as brief bullets. The guide was approved in May, which goes into detail about those both standards and recommendations. Today's discussion is to find out if the Commission is comfortable with the approach.

Smith said he would be looking for an approval in September or October. Send any suggestions to Mark. He wants to keep the language close to what was in the public comment draft and bring it back in August or September. We will let people know it is out there and there will be a vote, but not do a formal public comment period again.

Meeting adjourned.

Minutes approved 12/12002